

MINUTES

MONTANA SENATE 56th LEGISLATURE - REGULAR SESSION SUBCOMMITTEE ON FINANCE AND CLAIMS

Call to Order: By **CHAIRMAN CHUCK SWYSGOOD**, on March 30, 1999 at 3:15 P.M., in Room 108 Capitol.

ROLL CALL

Members Present:

Sen. Chuck Swysgood, Chairman (R)
Sen. Tom A. Beck (R)
Sen. Eve Franklin (D)
Sen. Bob Keenan (R)
Sen. Debbie Shea (D)
Sen. Mignon Waterman (D)

Members Excused: Sen. Tom Keating, Vice Chairman (R)
Sen. Chris Christiaens (D)
Sen. William Crismore (R)
Sen. Greg Jergeson (D)
Sen. J.D. Lynch (D)
Sen. Dale Mahlum (R)
Sen. Ken Mesaros (R)
Sen. Ken Miller (R)
Sen. Arnie Mohl (R)
Sen. Linda Nelson (D)
Sen. Mike Taylor (R)
Sen. Daryl Toews (R)

Members Absent: None.

Staff Present: Shannon Gleason, Committee Secretary
Susan Fox, Legislative Branch
Greg Petesch, Legislative Service Division
Lois Steinbeck, Legislative Service Division

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: Subcommittee on SB 534,
4/11/1999
Executive Action:

Susan Fox, Legislative Service Division, passed out **EXHIBIT(fcs71b01)**, the changes made to the bill to date. **CHAIRMAN SWYSGOOD** advised all amendments apply to the original bill.

Motion/Vote: **SEN. KEENAN** moved that **AMENDMENT SB053407.ASF EXHIBIT(fcs71b02)** BE ADOPTED. Motion carried unanimously.

Motion: **SEN. BECK** moved that **AMENDMENT SB053403.AGP EXHIBIT(fcs71b03)** BE ADOPTED.

Discussion:

SEN. BECK asked if this would be state wide. **Ms. Fox** advised it would allow flexibility.

SEN. FRANKLIN wanted to know the merits of regional. **SEN. KEENAN** advised he liked the amendment because the system does not have to be regional, it just had to work.

Vote: Motion carried unanimously.

Ms. Fox explained amendment **SB 053409.asf EXHIBIT(fcs71b04)**. **SEN. WATERMAN** was concerned because children's services would be lost. **SEN. KEENAN** wanted to know where in the bill that was. **Ms. Fox** advised section M, number eleven of the grey bill #1.

Motion/Vote: **SEN. WATERMAN** moved that **AMENDMENT BE ADOPTED**. Motion carried unanimously.

Ms. Steinbeck read the explanation of amendment **SB053404.agp EXHIBIT(fcs71b05)**.

Motion/Vote: **SEN. BECK** moved that **AMENDMENT BE ADOPTED**. Motion carried unanimously.

Ms. Fox advised amendment **SB053404.asf EXHIBIT(fcs71b06)** was similar to another amendment and it addressed the concern of the majority of the council being consumers. **SEN. WATERMAN** reviewed the amendment for the committee. **CHAIRMAN SWYSGOOD** said 1/2 must be consumers and the amendment brings this council in line with others, and there is no majority. **SEN. WATERMAN** asked if family members were included. **CHAIRMAN SWYSGOOD** assumed they would be, **Ms. Fox** concurred. **Ms. Fox** advised there was one of the four required groups were excluded so the council would not meet Federal guidelines. **CHAIRMAN SWYSGOOD** asked who had to be included. **Dan Anderson**, DPPHS, reviewed the requirements. **SEN.**

WATERMAN wanted to delete contract representatives so the Federal requirements could be met and there would not be two councils.

SEN. FRANKLIN asked if there was another amendment, **CHAIRMAN SWYSGOOD** advised there was, however **SEN. WATERMAN** withdrew hers. **SEN. WATERMAN** wanted to know how many people would be on the council. It was decided approximately 16. **SEN. WATERMAN** wanted the department to lay out what they thought the council would look like prior to the bill being passed. {Tape : 1; Side : A; Approx. Time Counter :3:35}

Motion/Vote: **SEN. KEETING** moved that **AMENDMENT BE ADOPTED**.
Motion carried unanimously.

Ms. Fox passed out and explained **SB053403.asf EXHIBIT(fcs71b07)** and the Insurance Commissioner's role in the regulation of the program.

Claudia Clifford, Auditor's Department, raised a concern regarding the provisions for standards and felt Medicaid already had their own so amendment **SB053410.asf** was not needed. The department agreed.

Mr. Anderson was concerned with bringing part seven of title 53, chapter six into the program. **CHAIRMAN SWYSGOOD** asked what he was referring to. **Mr. Anderson** stated page four of the amendment, the last sentence. **Mr. Anderson** advised the model was to award a single contractor in each region and may allow other entities to open up and provide services.

SEN. WATERMAN asked what would happen if one provider wanted to operate in each region. **Mr. Anderson** advised the problem would be if it were several managed care entities. There was considerable discussion amongst the committee. The intent was to not allow one person in each region to have a monopoly in the region. **Ms. Steinbeck** advised the department was going to award the contract to a single gateway in each region instead, so instead of one provider there would be several. **Ms. Steinbeck** stated any provider could make application and provide services. **Ms. Fox** felt the language must be there for a reason and any amendments should be drawn up carefully so the intent is not lost. **Ms. Steinbeck** felt it had to do with medicaid recipients because for the non SSI provider it was critical. **SEN. WATERMAN** felt the language should be " except as other wise provided in a contract for mental health services a licensed managed care entity ". **SEN. WATERMAN** felt this would allow a single gatekeeper but not shut the door. **CHAIRMAN SWYSGOOD** advised the amendment would be changed to reflect the proper wording.

Ms. CLIFFORD was confused to the intent. **SEN. WATERMAN** advised it allowed the contract to be awarded one specific provider that could in turn subcontract for services.

Motion/Vote: **SEN. KEENAN** moved that **AMENDMENT BE ADOPTED. Motion carried unanimously.**

The committee reviewed what amendments were passed. **Ms. Fox** advised the amendment would be merged and a new unofficial bill would be drafted. **CHAIRMAN SWYSGOOD** advised the subcommittee would meet again to review the compiled changes.

ADJOURNMENT

Adjournment: 3:55 P.M.

SEN. CHUCK SWYSGOOD, Chairman

SHANNON GLEASON, Secretary

CS/SG

EXHIBIT (fcs71bad)